

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION**

UNITED STATES OF AMERICA and)	
THE STATE OF WISCONSIN,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 10-C-910
)	
NCR CORPORATION,)	
APPLETON PAPERS INC.,)	
BROWN COUNTY,)	
CITY OF APPLETON,)	
CITY OF GREEN BAY,)	
CBC COATING, INC.,)	
GEORGIA-PACIFIC CONSUMER PRODUCTS LP,)	
KIMBERLY-CLARK CORPORATION,)	
MENASHA CORP.,)	
NEENAH-MENASHA SEWERAGE COMMISSION,)	
NEWPAGE WISCONSIN SYSTEMS, INC.,)	
P.H. GLATFELTER CO.,)	
U.S. PAPER MILLS CORP., and)	
WTM I COMPANY,)	
)	
Defendants.)	

**DECLARATION OF EVAN B. WESTERFIELD IN SUPPORT OF DEFENDANT NCR
CORPORATION’S REPLY MEMORANDUM OF LAW IN SUPPORT OF ITS CROSS
MOTION FOR SUMMARY JUDGMENT**

I, Evan B. Westerfield, declare as follows:

1. I am an attorney duly licensed to practice law in the State of Illinois. I am a partner at the law firm of Sidley Austin LLP, counsel for NCR Corporation (“NCR”) in the above captioned action. I have personal and first-hand knowledge of each of the matters set forth herein, and, if called and sworn as a witness, I can and will testify competently thereto.

The contents of this declaration are true and correct to the best of my knowledge, information and belief.

2. I submit this declaration in support of NCR's Reply Memorandum of Law in Support of its Cross Motion for Summary Judgment.

3. Attached as **Exhibit A** is a true and correct copy of the final deposition transcript of Jeffrey Zelikson, dated October 12, 2012, and related errata pages, dated November 5, 2012.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 14, 2012

/s/ Evan B. Westerfield
Evan B. Westerfield